

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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November 23, 2004

**FROM: MICHAEL E. HAYS, DIRECTOR
 LAND USE SERVICES DEPARTMENT/CURRENT PLANNING DIVISION**

**SUBJECT: GENERAL PLAN AMENDMENT AND TENTATIVE TRACT 16738; APPLICANT:
 KAMDAT INVESTMENT, INC.; APN: 0234-131-09*; COMMUNITY: FONTANA**

RECOMMENDATION:

1. **CONDUCT** a public hearing on TUESDAY, November 23, 2004, at 10:00 AM to consider a **DECLARATION OF AN INTENT** to:
 - a) **ADOPT** a Mitigated Negative Declaration;
 - b) **ADOPT** a General Plan Amendment to change the land use designation from Single Residential - 1 acre minimum lot size (RS-1) to Single Residential (RS) on 2.24 acres; Applicant: Kamdat Investment, Inc.; APN: 0234-131-09*; Community: Fontana;
 - c) **APPROVE** Tentative Tract 16738 to create 10 lots on 2.24 acres, subject to the revised Conditions of Approval;
 - d) **ADOPT** the Findings as recommended by the Planning Commission;
 - e) **FILE** a Notice of Determination;
2. **CONTINUE** for Final Adoption with the Third Cycle 2004 General Plan Amendments;

BACKGROUND INFORMATION: The project is a General Plan Amendment (GPA) to change the Official Land Use District from Single Residential-1 acre minimum lot size (RS-1) to Single Residential (RS) and Tentative Tract 16738 to create 10 lots on 2.24 acres, generally located approximately 330 ft. west of Live Oak Avenue at the east end of Mallory Drive. The ten lots will range from 7,292 sq. ft. to 11,140 sq. ft. in size, and lot number 10, the largest lot, will accommodate an existing residence that will remain on the property. The proposed GPA change is consistent and compatible with the adjacent residential districts that surround the project site as it will eliminate an isolated island of RS-1, and will allow in-fill development of a vacant lot surrounded by existing single family residential development. The project site encompasses 2.24 acres that has the current potential to allow two dwelling units. The GPA will permit an increase of eight dwelling units that will not create a significant demand on available utilities and services.

This proposed subdivision design meets the RS district development standards and provides for a lot configuration consistent with the existing residential development in the surrounding area. Wastewater service to the project will be provided by subsurface septic tank disposal systems because sewer service is not currently available to the site. However, because the proposed lots are less than the 20,000 sq. ft. minimum required by the Santa Ana Regional Water Quality Control Board (SARWQCB), the applicant/developer will be required to obtain approval of a sewer off-set program from the SARWQCB.

The project site is located within the sphere of influence of the City of Fontana. The city responded to the project notice indicating that the proposed project is consistent with their General Plan land use district and residential development standards.

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Several letters were received from property owners in the area who expressed concern that they did not want a through street from Arbor Avenue to Mallory Drive because of the traffic the new project would bring. They also wanted to see a block wall around the rear of the lots for the project. The through street re-design was required by the County Road Department. Arbor Avenue and Mallory Drive currently dead-end at the project site without benefit of the customary cul-de-sac turn around. The County Public Works Department/Roads Division approved the street circulation system at this location, and it was Master Planned as a circular route for Arbor and Mallory to connect when the subject property developed. The County Public Works Department/Traffic Division reviewed the potential traffic generated by the project, and determined that nine additional peak hour trips per day that may be generated by this proposed single residential subdivision will not be significant, and will not create an adverse impact on area circulation or intersections under existing or future conditions. Therefore, no traffic mitigation was required. The block wall is a standard requirement for the development and is required in the conditions of approval.

An independent Initial Study in compliance with the California Environmental Quality Act (CEQA) has been completed for the project that determined the proposal will not have any adverse impacts after implementation of appropriate Conditions of Approval. Therefore, a Mitigated Negative Declaration is recommended.

On October 21, 2004, the Planning Commission recommended that the Board of Supervisors approve the proposed GPA/TR 16738.

REVIEW AND APPROVAL BY OTHERS: This item has been reviewed and approved by Deputy County Counsel Robin Cochran on November 9, 2004, 387-8957; and by the County Administrative Office, Patricia M. Cole, Administrative Analyst III on November 15, 2004, 387-5346. This item was heard by the Planning Commission on October 21, 2004.

FINANCIAL IMPACT: There are no financial impacts associated with this item.

SUPERVISORIAL DISTRICT: 2nd

PRESENTER: Michael E. Hays, Director, Land Use Services Department, 387-4141